

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

BRANDON CALLIER,

Plaintiff,

v.

SUMMIT HORIZON FINANCIAL
SERVICES, LLC, *et al.*,

Defendants.

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CASE NO.: 1:21-CV-131 (LAG)

ORDER

Before the Court is Plaintiff's Motion to Dismiss with Prejudice (Doc. 4), which the Court construes as a notice of voluntary dismissal. Therein, Plaintiff represents that the Parties have "resolved their case" and Plaintiff moves to voluntarily dismiss with prejudice the above captioned case. (*Id.*). Pursuant to Federal Rule of Civil Procedure 41(a), "the plaintiff may dismiss an action without a court order by filing . . . a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Fed. R. Civ. P. 41(a)(1)(A)(i). Because no Defendant has served an answer or any dispositive motion, the action is **DIMISSED with prejudice** and Plaintiff's Motion (Doc. 4) is **DENIED as moot**.

SO ORDERED, this 14th day of September, 2021.

/s/ Leslie A. Gardner

**LESLIE A. GARDNER, JUDGE
UNITED STATES DISTRICT COURT**